

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,) **INFORMATION** CR 13-10 DSD
)
Plaintiff,) (18 U.S.C. § 1343)
) (18 U.S.C. § 1347)
v.)
)
LORI JO MUELLER,)
)
Defendant.)

THE UNITED STATES ATTORNEY CHARGES:

COUNT 1
(Wire Fraud)

1. From in or about June 2006 through on or about June 2012,
in the State and District of Minnesota, the defendant,

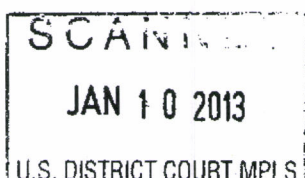
LORI JO MUELLER,

did knowingly and intentionally devise and execute a scheme and
artifice to defraud Edelweiss Home Health Care ("Edelweiss") and to
obtain money from Edelweiss by means of false and fraudulent
pretenses, representations, and promises.

2. MUELLER began working for Edelweiss in 2002, and was
later promoted to Vice President of Operations. In that position,
MUELLER was responsible for, among other things, the review and
payment of corporate invoices, bookkeeping, and other financial
matters. Mueller used her access to the corporate checking account
to issue payments from corporate accounts to her personal own
benefit.

3. From in or about June 2006 through on or about June 2012,
MUELLER embezzled approximately \$840,000 held in accounts for the

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benefit of Edelweiss and diverted the funds to her own personal use.

4. During the time period when MUELLER was embezzling funds, she concealed her actions from the owner of Edelweiss and made misrepresentations concerning the financial condition of Edelweiss.

5. On or about May 25, 2012, in the State and District of Minnesota, MUELLER, for the purpose of executing the scheme and artifice to defraud, did knowingly transmit and cause to be transmitted in interstate commerce, by means of wire communication, certain signals and sounds, to-wit, an interstate electronic payment of \$4,200 from Edelweiss' business checking account to Discover Credit Card Services for payment of a MUELLER credit card bill.

6. All in violation of Title 18, United States Code, Section 1343.

COUNT 2
(Health Care Fraud)

7. From in or about March 2010 through in or about June 2012, in the State and District of Minnesota, the defendant,

LORI JO MUELLER,

knowingly and willfully executed a scheme to defraud Medica, a health care benefit program as defined in Title 18, United States Code, Section 24(b), by means of materially false and fraudulent

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pretenses, representations, and promises, in connection with the delivery of and payment for health care benefits and services.

8. Specifically, in the time-frame identified above, MUELLER was responsible for submitting to insurance providers, including Minnesota Medicaid and Medica, claims for reimbursement for nursing services provided by Edelweiss. MUELLER was also responsible for tracking and accounting for payments received from insurance providers, to include, but not be limited to, entering Edelweiss receipts in the company's QuickBooks ledgers.

9. One of the clients to whom nursing services were provided by Edelweiss was A.G., a known adult male. In the time-frame identified above, MUELLER knowingly and willfully billed both Minnesota Medicaid and Medica for services provided to A.G. MUELLER's double-billing resulted in double-payment to Edelweiss on the A.G. account. Minnesota Medicaid was the proper payor, and the duplicative billing resulted in overpayment to Edelweiss from Medica for services that defendant separately billed to Medicaid and were paid by Medicaid.

10. For example, for 24 hours of nursing services provided on March 27, 2012, by Edelweiss to A.G., MUELLER billed Medica \$1,056. On or about April 27, 2012, Medica paid \$1,033.92 on the claim. For the same service date, MUELLER also billed Minnesota Medicaid for

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A.G. services. Minnesota Medicaid paid the claim on April 10, 2012. MUELLER retained the double-payment in Edelweiss' business account.

11. As a result of the duplicative billing over the time-frame identified above, Medica suffered a total loss of \$631,067.

12. All in violation of Title 18, United States Code, Section 1347.

Forfeiture Allegations

13. Counts 1 and 2 of this Information are hereby realleged and incorporated as if fully set forth herein by reference, for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(7), and Title 28, United States Code, Section 2461(c).

14. As the result of the offense alleged in Count 1 of this Information, the defendant shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the violations of Title 18, United States Code, Sections 1343.

15. As the result of the offense alleged in Count 2 of this Information, the defendant shall forfeit to the United States pursuant to Title 18, United States Code, Section 982(a)(7), any property, real or personal, that constitutes or is derived,

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directly or indirectly, from gross proceeds traceable to the violations of Title 18, United States Code, Sections 1347.

16. If any of the above-described forfeitable property is unavailable for forfeiture, the United States intends to seek the forfeiture of substitute property as provided for in Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code, Section 2461(c).

17. All in violation of Title 18, United States Code, Sections 1343, 1347, 981(a)(1)(C) and 982(a)(7), and Title 28, United States Code, Section 2461(c).

Dated: January 9, 2013

Respectfully submitted,

B. TODD JONES
United States Attorney



BY: DAVID M. GENRICH
Assistant U.S. Attorney